

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

HENRY CHASE ALONE, a/k/a
HENRY BLACK ELK,
Defendant.

CR. 18-50117-JLV

ORDER

Defendant Henry Chase Alone filed three *pro se* letters requesting (1) new appellate counsel; (2) copies of the jury trial and grand jury transcripts; and (3) a second request for the same documents requested in #2. (Dockets 165-67). In a November 19, 2019 order, the court concluded “Mr. Chase Alone will be required to work with Mr. Demik [his attorney] through the conclusion of his case.” (Docket 148 at p. 2).

Mr. Chase Alone was sentenced by the court on December 16, 2019. (Docket 161). On December 22, 2019, Attorney Demik filed a notice of appeal to the United States Court of Appeals for the Eighth Circuit. (Docket 162).

By a December 5, 2019, order the court ruled that “[b]ecause the defendant is represented by counsel, all motions must be made through his attorney.” (Docket 154) (referencing United States v. Stanko, 491 F.3d 408, 411 n.2 (8th Cir. 2007) (The court declines to address *pro se* motions when defendant is represented by counsel); United States v. Peck, 161 F.3d 1171,

1174 n.2 (8th Cir. 1998) (It is not the court's "practice to consider pro se briefs filed by parties represented by counsel")). To make it clear, the court will not consider any further letters or *pro se* motions filed by Mr. Chase Alone as he is represented by highly skilled and competent counsel in Attorney Demik.

Accordingly, it is

ORDERED that defendant's *pro se* requests (Dockets 165-67) are denied without prejudice.

IT IS FURTHER ORDERED that Mr. Chase Alone shall not be permitted to file any further *pro se* motions, letters or requests with the court. **All further motions on behalf of Mr. Chase Alone must be filed through his attorney.**

IT IS FURTHER ORDERED that the Clerk of Court shall not file but return to Mr. Chase Alone any *pro se* motion, letter or request delivered by U.S. Mail or hand delivered by a third-person.

Dated January 9, 2020.

BY THE COURT:



JEFFREY L. VIKEN
UNITED STATES DISTRICT JUDGE